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Docket No.: 01946/100A483-US8
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Sam J. Milstein, et al.

Application No.: 09/760,307

Confirmation No.: 8759

Filed: January 11, 2001

Art Unit: 1615

For: ACTIVE AGENT TRANSPORT SYSTEMS

Examiner: L. S. Channavajjala

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the reference listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This IDS should be considered, in accordance with 37 C.F.R. 1.97, as it is filed after the first Office Action on the merits, and is accompanied by the fee set forth in 1.17(p).

A full translation or abstract of the non-English language documents are enclosed. Please note that the abstract for FR 4,446 is citation no. 52, "Francia Farmaceutica " γ -(o-Hydroxybenzamido)-Butyric Acid", Chem. Abstracts, vol. 10, 114838e (1969).

A copy of each document on the PTO/SB/08 is attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: July 16, 2004

Respectfully submitted,

By 

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Substitute for form 1448A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Application Number	09/760,307-Conf. #8759
		Filing Date	January 11, 2001
		First Named Inventor	Sam J. Milstein
		Art Unit	1615
		Examiner Name	L. S. Channavajjala
Sheet	1	of	2
		Attorney Docket Number	01946/100A483-US8

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1	US-6,221,367-B1	04-24-2001	Milstein et al.	
	2	US-6,242,485-B1	06-05-2001	Leone-Bay, et al.	
	3	US-6,245,359-B1	06-12-2001	Milstein, et al.	
	4	US-6,313,086-B1	11-06-2001	Leone-Bay et al.	
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	8	US-6,358,504-B1	03-19-2002	Leone-Bay et al.	
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	11	US-6,399,798-B1	06-04-2002	Gschneider et al.	
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	16	US-2002-0001591-A1	01-03-2002	Santiago et al.	
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Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ² -Number ³ -Kind Code ⁴ (if known)			
	27	WO-01/32130-A1	05-10-2001	Emisphere Technologies, Inc.	
	28	WO-01/32596-A1	05-10-2001	Emisphere Technologies, Inc.	
	29	WO-01/44199-A1	06-21-2001	Emisphere Technologies, Inc.	
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	31	WO-01/70219-A1	08-27-2001	Emisphere Technologies, Inc.	
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	33	WO-02/069937-A1	09-12-2002	Emisphere Technologies, Inc.	
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	35	WO-02/100338-A1	12-19-2002	Emisphere Technologies, Inc.	
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	37	WO-03/045306-A1	06-05-2003	Emisphere Technologies, Inc.	
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	41	EP-0 576 941-A1	01-05-1994	Nisshin Flour Milling Co., Ltd.	
	42	FR-4446-A1	09-26-1966	Francia Farmaceutica, S.r.l.	

Examiner Signature	Date Considered
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Substitute for form 1449A/USPTO <h2 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center;">(Use as many sheets as necessary)</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: left;">Complete If Known</th> </tr> <tr> <td style="width: 50%;">Application Number</td> <td>09/760,307-Conf. #8759</td> </tr> <tr> <td>Filing Date</td> <td>January 11, 2001</td> </tr> <tr> <td>First Named Inventor</td> <td>Sam J. Milstein</td> </tr> <tr> <td>Art Unit</td> <td>1615</td> </tr> <tr> <td>Examiner Name</td> <td>L. S. Channavajjala</td> </tr> <tr> <td>Attorney Docket Number</td> <td>01946/100A483-US8</td> </tr> </table>		Complete If Known		Application Number	09/760,307-Conf. #8759	Filing Date	January 11, 2001	First Named Inventor	Sam J. Milstein	Art Unit	1615	Examiner Name	L. S. Channavajjala	Attorney Docket Number	01946/100A483-US8
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43	WO-97/47270-A1	12-18-1997	Arad, Dorit	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. *Applicant's unique citation designation number (optional). *See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. *Enter Office that issued the document, by the two-letter code (WFO Standard ST.3). *For Japanese Patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. *Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. *Applicant is to place a check mark here if English language Translation is attached

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		1*
	45	Leone-Bay, A., "N-Acylated alpha-amino acids as novel oral delivery agents for proteins"; Journal of Medicinal Chemistry vol 38, 4263-4269 (1995).		
	46	Leone-Bay, A., "Microsphere Formation in a Series of Derivatized Alpha-Amino Acids: Properties, Molecular Modeling, and Oral Delivery of Salmon Calcitonin"; Journal of Medicinal Chemistry vol 38, 4257-4262 (1995).		
	47	Ho Koc-Kan, et al. "A Practical Synthesis of -aminoalkanoic acid derivatives form Cycloalkanonones" Synthetic Communication, vol. 26, no. 14: 2641-2649 (1996).		
	48	Leone-Bay, A., "4-(4-Salicyloylamino-phenyl)butyric Acid as a Novel Oral Delivery Agent for Recombinant Human Growth Hormone" Medi 006, Presented at the American Chemical Society, (March 1996) New Orleans, LA.		
	49	Leone-Bay, A., et al. "The evolution of an oral heparin dosing solution" Drugs of the Future vol 22(8) 885-891 (1997)		
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	51	Leone-Bay, A. "Acylated non-alpha-amino acids as novel agents for the oral delivery of heparin sodium, USP" Journal of Controlled Release 50: 41-49 (1998).		
	52	Francia Farmaceutica "gamma-(o-Hydroxybenzamido)-Butyric Acid" Chem Abstracts Vol. 10 114838e (1999)		
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	54	Picciola, G., "Synthesis Of Quinazolinone And Benzoxazinone Acids And Study Of Their Anti-inflammatory Properties" IT, Il Farmaco, Ed. Sc. vol 31, no. 9 pgs 655-664 - English Translation (1976).		
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	57	Brown, G. et al., "Receptor Binding Sites Of Hypoglycemic Sulfonylureas And Related (Acylamino)Alkyl Benzoic Acids" J Med Chem 27, 79-81 (1984).		
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